IN THE SPECIFICATION

Please amend the specification as follows:

The paragraph beginning at page 1, line 14, is amended as follows:

Many products are vacuum packed. For example, food products such as meat, instant coffee, fruits, cheeses, and dairy products have been vacuum packaged. Vacuum packaging of frangible articles, including ~~foods such as animal feeds, dog foods and~~ cereal-based foods ~~including~~ having whole grains has not been accomplished. It has not been possible to vacuum pack such foods without developing rancidity. For example, oat based cereal has a tendency to become rancid in a confined space. Traditionally breathable packages are necessary with oat-based products. A breathable package for example, made of high density polyethylene, allows oxygen to go in and out and get rid of gases which cause rancidity, and do not hold a vacuum.

The paragraph beginning at page 1, line 23, is amended as follows:

Further, it has not been possible to package some frangible food items such as ~~popped popcorn,~~ snack chips and cereal flakes without significant breakage and rancidity.

The paragraph beginning at page 2, line 6, is amended as follows:

Accordingly, the present invention provides a package comprising a bag formed of a material comprising at least one layer, the bag having an exterior portion, an interior portion, an oxygen barrier and a moisture barrier, and being capable of holding a vacuum. An item comprising a frangible material is held in the interior portion of the bag, the interior portion having less than about 1 ppm hexanal therein. The frangible material has a crush resistance or resistance to compression no less than about 7.0 PSIA. In one embodiment, the frangible material has a resistance to compression of no less than about 14.7 PSI. In one embodiment, the frangible material is cereal based at least a portion thereof comprising a whole grain selected from the group consisting of oats, rice, corn and mixtures thereof. The cereal may include marbits or pieces of marshmallow-based material which may be provided in varied shapes and colors. ~~The frangible material may also be flour, animal feed, dog food or unpopped popcorn~~.

The paragraph beginning at page 3, line 25, is amended as follows:

In another embodiment, the present invention provides a method for packaging an item comprising a frangible material selected from the group consisting of ~~popped popcorn,~~ snack chips, fried snacks, fried grain based snacks (including but not limited to "Bugles" corn snacks), potato chips, corn chips, cereal flakes and cereal based flakes, which have a resistance to compression lower than 14.7 PSI, but no less than about 7.0 PSIA. The method comprises providing a semirigid bag formed of a material comprising at least one layer, the bag having an exterior portion, an interior portion, an oxygen barrier and a moisture barrier, the semirigid bag further comprising an interior structure and filling the bag with the quantity of frangible material. The air is exhausted from the package while the package is filled with a gas selected from the group consisting of Nitrogen, Nitrous Oxide, Neon, Argon and mixtures thereof, and the bag is heat sealed so that the gas pressure is maintained therein and the bag has less than about 1 ppm hexanal inside.

The paragraph beginning at page 8, line 22, is amended as follows:

The item to be packaged may be a frangible material including food items such as cereals~~,~~ and cereal based materials~~, unpopped popcorn, animal feeds and dog foods~~. A cereal packaged according to the present invention may include marbits or pieces of marshmallow-based material which may be provided in varied shapes and colors (hearts, moons, stars, clovers, etc.). In general, the frangible material has a crush resistance of between about 7.0 PSIA - 100 PSIA.

The paragraph beginning at page 14, line 5, is amended as follows:

In one embodiment, the item to be packaged is a food product selected from the group consisting of ~~popped popcorn, popped popcorn based snacks,~~ snack chips, fried snacks, potato chips, corn chips, fried grain based snacks (such as General Mill's, Inc.'s "Bugles" corn snacks, corn puffs, corn tortilla chips and the like), cereal flakes, and cereal based flakes. The item may comprise flakes of a cereal-based material including a whole grain selected from the group consisting of whole grain oats, whole grain rice, whole grain corn and mixtures thereof. The cereal-based material may further comprise soybean flour.

The paragraph beginning at page 14, line 16, is amended as follows:

In one embodiment, the packaging method comprises providing a quantity of a frangible material selected from the group consisting of ~~popped popcorn,~~ snack chips, cereal flakes and cereal-based flakes. A semirigid bag is provided, the bag being formed of a material comprising at least one layer, the bag having an exterior portion, an interior portion, an oxygen barrier and a moisture barrier, and being capable of holding a vacuum. The semirigid bag further comprises an interior structure. The bag is filled with the quantity of frangible material. The air is then exhausted from the package while filling the package with a gas selected from the group consisting of Nitrogen, Nitrous Oxide, Neon and Argon, and the bag is heat sealed so that the gas pressure is maintained therein and the bag has less than about 1 ppm hexanal therein.

The paragraph beginning at page 16, line 3, is amended as follows:

The present invention provides a method and package for vacuum packaging a quantity of a frangible item with a crush resistance or resistance to compression no less than about 7.0 PSIA. The method includes providing a bag capable of holding a vacuum, filling the bag with the quantity of frangible material, providing vacuum means, drawing a vacuum on the bag and exhausting the air from the package so the air pressure therein is less than atmospheric pressure, and heat sealing the bag so that the vacuum is maintained therein and the bag has less than about 1 ppm hexanal therein. The bag is formed of a material comprising at least one layer, the bag having an exterior portion, an interior portion, an oxygen barrier and a moisture barrier. In one embodiment, the bag is formed of a film or a single sheet. In one embodiment, the bag comprises a laminate, a co-extrusion, or a combination of the two. In a further embodiment, the bag has two separate chambers, and the frangible material is cereal based and comprises a nonparticulate portion packaged in the first chamber and a particulate portion packaged in the second chamber. In a still further embodiment, the bag has a perforated portion which when inserted into a carton is located at the top of the carton so the bag is opened by opening the perforated portion thereof. In one embodiment, the bag has a recloseable opening at the top, which may be reclosed by an adhesive, a zipper, a clip or a tin tie. In one embodiment, the frangible material is cereal based, at least a portion thereof comprising a whole grain selected from the group consisting of oats, rice, corn and mixtures thereof. The cereal may include

marbits or pieces of marshmallow-based material which may be provided in varied shapes and colors. ~~The frangible material may also be flour, animal feed, dog food or unpopped popcorn.~~ Alternatively, the frangible material may be a nonfood item such as styrene packing pellets, or foam material, either open cell or a combination of open and closed cell.

The paragraph beginning at page 16, line 28, is amended as follows:

In addition, a package and method is provided for packaging an item comprising a frangible material having a resistance to compression less than about 7.0 PSIA, selected from the group consisting of ~~popped popcorn, popcorn based snacks,~~ snack chips (nonlimiting examples of which include fried snacks, potato chips, corn chips, fried or baked grain based snacks), cereal flakes and cereal based flakes. The method comprises providing a semirigid bag comprising an interior structure and filling the bag with the quantity of frangible material. The air is exhausted from the package while the package is filled with a gas selected from the group consisting of Nitrogen, Nitrous Oxide, Argon, Neon and mixtures thereof, and the bag is heat sealed so that the gas pressure is maintained therein and the bag has less than about 1 ppm hexanal inside.